

**CHIROPRACTIC EXAMINING BOARD  
TELECONFERENCE/VIRTUAL MEETING MINUTES  
MARCH 30, 2017**

**PRESENT:** John Church, D.C; Jacob Curtis (*via GoToMeeting, left at 9:30 A.M.*); Jeffrey King, D.C.; Jeffrey Mackey, D.C.; Juli McNeely; and Patricia Schumacher, D.C.

**STAFF:** Tom Ryan, Executive Director; Dale Kleven, Administrative Rules Coordinator; Laura Smith, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Patricia Schumacher, Chair, called the meeting to order at 8:32 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes:**

- *Remove Jeffrey King from having arrived. Jeffrey Mackey arrived.*

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to approve the minutes of January 26, 2017 as amended. Motion carried unanimously.

**DELEGATION OF AUTHORITY TO MONITORING LIAISON AND DEPARTMENT  
MONITOR**

**Monitoring Delegation**

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor' document as presented. Motion carried unanimously.

**8:30 A.M. PUBLIC HEARING: CLEARINGHOUSE RULE 17-010 – CHIR 4 AND 10  
RELATING TO COURSES OF STUDY FOR AND DELEGATION TO CHIROPRACTIC  
TECHNICIANS AND CHIROPRACTIC RADIOLOGICAL TECHNICIANS**

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to table until the next meeting responding to Public Hearing comments and Clearinghouse comments for Clearinghouse Rule CR 17-010 relating to courses of study for and delegation to chiropractic technicians and chiropractic radiological technicians. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULE MATTERS**

**Statements of Scope for Chir 2 Relating to Examinations, Chir 4 Relating to Chiropractic Practice, Chir 5 Relating to Continuing Education, Chir 6 Relating to Standards of Conduct, Chir**

## **9 Relating to Chiropractic Preceptorship, and Chir 12 Relating to Nutritional Counseling Certification**

**MOTION:** John Church moved, seconded by Juli McNeely, to approve the revised Scope Statements on Chir 2 Relating to Examinations, Chir 4 Relating to Chiropractic Practice, Chir 5 Relating to Continuing Education, Chir 6 Relating to Standards of Conduct, Chir 9 Relating to Chiropractic Preceptorship, and Chir 12 Relating to Nutritional Counseling Certification for submission to the Governor's Office and publication, and to authorize the Chair to approve the scopes for implementation no less than 10 days after publication. Motion carried unanimously.

### **CLOSED SESSION**

*(Jacob Curtis did not participate in the closed Session deliberations or votes.)*

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: John Church-yes; Jeffrey King-yes; Jeffrey Mackey-yes; Juli McNeely-yes; Patricia Schumacher-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:36 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to reconvene in Open Session at 10:01 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### **DELIBERATION ON CREDENTIALING MATTERS**

#### **Crystal Baird – Chiropractic Technician Application**

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to grant the Chiropractic Technician application of Crystal Baird for Chiropractic Technician, once all requirements are met. Motion carried unanimously.

*(Patti Schumacher recused herself and left the room for deliberation, and voting in the matter concerning Crystal Baird. John Mackey served as Chair in her absence.)*

## **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### **Proposed Stipulation(s), Final Decision(s) and Order(s)**

#### ***16 CHI 023 – Richard D. Zahorik, D.C.***

**MOTION:** Jeffrey Mackey moved, seconded by Jeffrey King, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of disciplinary proceedings against Richard D. Zahorik, DLSC Case No. 16 CHI 023. Motion carried unanimously.

#### ***16 CHI 030 – Kevin J. Splude***

**MOTION:** John Church moved, seconded by Juli McNeely, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of disciplinary proceedings against Kevin J. Splude, DLSC case number 16 CHI 030. Motion carried unanimously.

### **Case Closing(s)**

#### ***15 CHI 028 – K.A.A.***

**MOTION:** Jeffrey Mackey moved, seconded by John Church, to close DLSC case number 15 CHI 028, against K.A.A., for Insufficient Evidence. Motion carried unanimously.

## **RATIFICATION OF EXAMINATIONS, LICENSES AND CERTIFICATES**

**MOTION:** Juli McNeely moved, seconded by John Church, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

*The board reviewed training information relating to Public Records and Ethics and Lobbying requirements at this meeting.*

## **ADJOURNMENT**

**MOTION:** Jeffrey Mackey, seconded by Juli McNeely, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:04 a.m.